

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
 540 Woodward Court and Timberview Way
 3821 Timberview Way
 14th Election District
 14th Councilmanic District
 Lee Parsons, et ux
 Petitioners

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 92-9-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow 55 ft. (Addition-Master Bedroom) in lieu of 75 ft. from center line of street, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners, having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

107.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of August 1991 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow 55 ft. (Addition-Master Bedroom) in lieu of 75 ft. from center line of street, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their Building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 10 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the addition to be converted to a second dwelling unit and/or apartment.
3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

Robert Haines
 ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

ORDER RECEIVED FOR FILING
 Date *8/26/91*
 By *JRH/mm*

CASE NUMBER

92-9-A

PETITIONER'S EXHIBIT # **2**

June 11, 1991
 Baltimore County Department of Zoning
 Re: Addition to 3821 Timberview Way

To Whom it May Concern:

I am a neighbor of Merle and Lee Parsons and have reviewed the plans for their proposed addition. I understand that they require a variance of the side yard setback from 50' to 30'. I have no objections to their being granted this variance.

3821 Timberview Way
 Address _____ Date _____
George J. Reed
 Name _____
 Address _____ Date _____
 Name _____
 Address _____ Date _____
 Name _____
 Address _____ Date _____
 Name _____

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-9-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty)

Planned addition is for a Master Bedroom suite. Petitioners require additional bedroom space in existing house for two (2) teenage daughters. Rear yard is not suitable for addition due to pool and septic area. The only space left is side yard where addition is contemplated.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name) _____
 Signature _____
 Address _____
 City/State/Zip Code _____
 Attorney for Petitioners:
 (Type or Print Name) _____
 Signature _____
 Address _____
 Attorney's telephone number _____

Legal Owner(s):

(Type or Print Name) _____
 Signature _____
 (Type or Print Name) _____
 Signature _____
 Address _____
 City/State/Zip Code _____
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
 LEVIN/BROWN & ASSOCIATES, INC.
 Name 17 Warren Road, Suite 7-8
 Baltimore, MD 21208 (301) 486-9900
 Address _____ Phone _____

ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be posted on the property on or before the _____ day of _____, 19____.
 ESTIMATED LENGTH OF NEIGHBORIAL ADVERTISING PERIOD: 142HR. + 1HR.
 MON./TUES./WED. - 10:00 AM TO 5:00 PM
 ALL OTHER DAYS - 10:00 AM TO 4:00 PM
 REVIEWED BY: _____
 A PUBLIC HEARING HEARD AND NEIGHBORIAL ADVERTISING PERIOD TO BE OBSERVED.

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock, _____ P.M.

RECEIVED FOR FILING
 ZONING COMMISSIONER OF BALTIMORE COUNTY

CASE NUMBER

92-9-A

PETITIONER'S EXHIBIT # **3**



AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-9-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at _____
 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

Planned addition is for a Master Bedroom suite. Petitioners require additional bedroom space in existing house for two (2) teenage daughters. Rear yard is not suitable for addition due to pool and septic area. The only space left is side yard where addition is contemplated.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

AFFIANT (Handwritten Signature) _____
 AFFIANT (Printed Name) _____

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
 I HEREBY CERTIFY, this _____ day of _____, 19____, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared _____

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

 NOTARY PUBLIC
 My Commission Expires: _____

CASE NUMBER

92-9-A

PETITIONER'S EXHIBIT # **4**



ZONING DESCRIPTION

When the zoning of a property is changed, the zoning description of the property is changed. The zoning description of a property is the zoning code that applies to the property. The zoning code is a number and a letter. The number indicates the zoning district and the letter indicates the zoning type. The zoning description of a property is important because it determines what can be done on the property. For example, a property in a residential zoning district can only be used for residential purposes. A property in a commercial zoning district can be used for commercial purposes. The zoning description of a property is also important because it determines the zoning regulations that apply to the property. For example, a property in a residential zoning district with a 50-foot setback requirement must have a 50-foot setback. A property in a commercial zoning district with a 25-foot setback requirement must have a 25-foot setback. The zoning description of a property is also important because it determines the zoning commission that has jurisdiction over the property. For example, a property in a residential zoning district is under the jurisdiction of the residential zoning commission. A property in a commercial zoning district is under the jurisdiction of the commercial zoning commission. The zoning description of a property is also important because it determines the zoning board that has jurisdiction over the property. For example, a property in a residential zoning district is under the jurisdiction of the residential zoning board. A property in a commercial zoning district is under the jurisdiction of the commercial zoning board. The zoning description of a property is also important because it determines the zoning commission and zoning board that have jurisdiction over the property. For example, a property in a residential zoning district is under the jurisdiction of the residential zoning commission and residential zoning board. A property in a commercial zoning district is under the jurisdiction of the commercial zoning commission and commercial zoning board. The zoning description of a property is also important because it determines the zoning commission and zoning board that have jurisdiction over the property. For example, a property in a residential zoning district is under the jurisdiction of the residential zoning commission and residential zoning board. A property in a commercial zoning district is under the jurisdiction of the commercial zoning commission and commercial zoning board.

92-9-A

Plat to accompany Petition for Zoning Variance Special Hearing

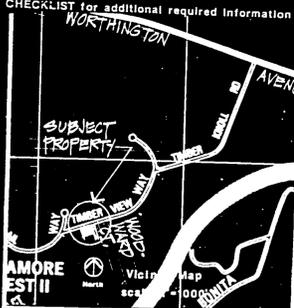
PROPERTY ADDRESS: 2221 TIMBER VIEW WAY
 Subdivision name: WORTHINGTON HILLSIDE II
 DED MAP # 22, folio # 24, lot # 4, section # 2
 OWNER: LEE & MARY PARSONS

see pages 5 & 6 of the CHECKLIST for additional required information
 Petitioner's Exhibit 1



92-9-A

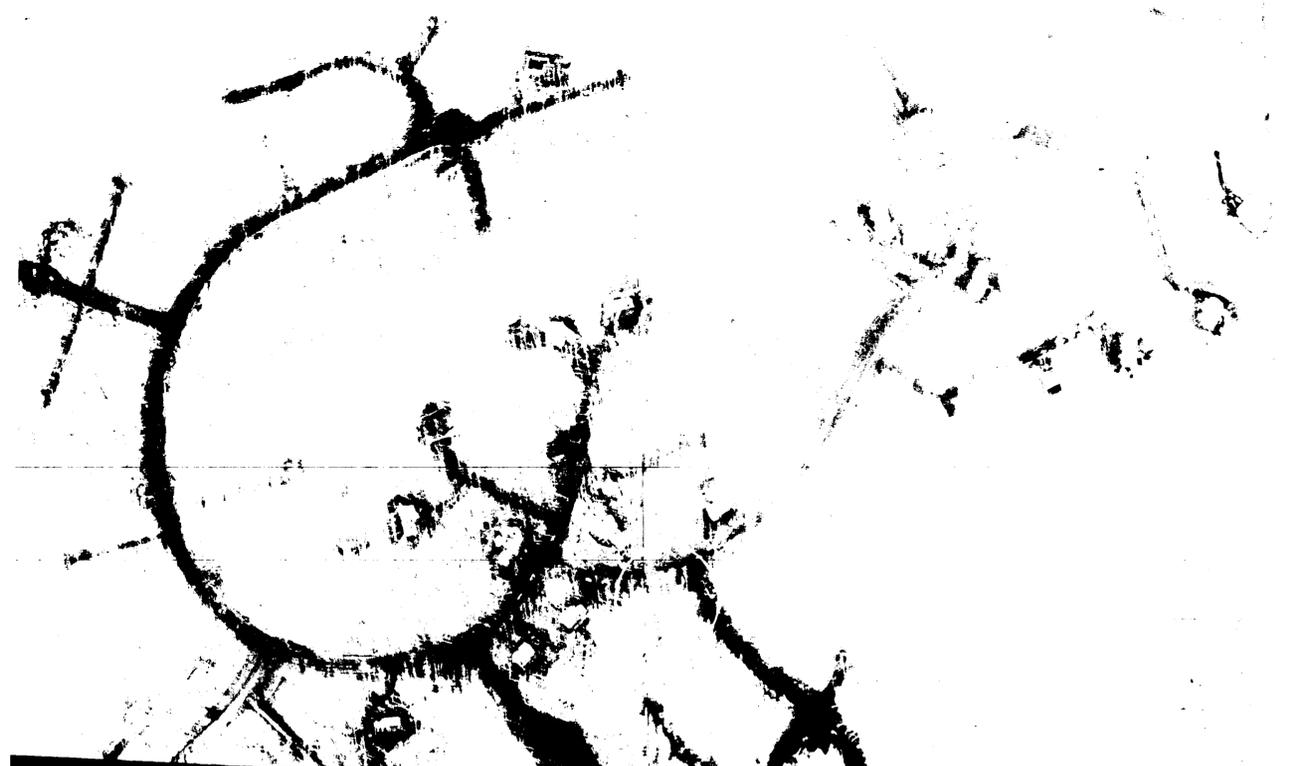
North
 date: 7/2/91 LEVIN BROWN & ASSOC. INC.
 prepared by: ABC-2000 Scale of Drawing: 1" = 50'



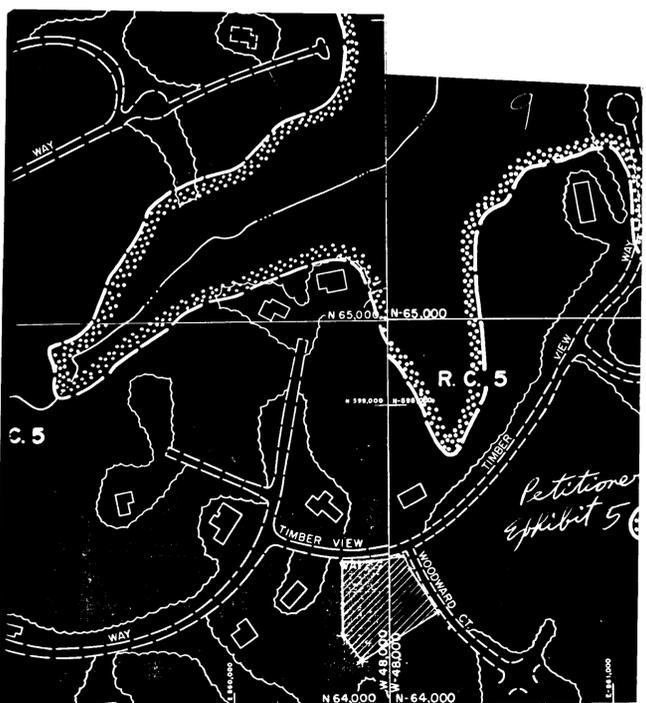
LOCATION INFORMATION
 Councilmanic District: 3
 Election District: 4
 1"=200' scale map#: NW-171
 Zoning: R-5
 Lot size: 10524 acreage, 44,900.06 square feet

SEWER: public, private
 WATER: public, private
 Chesapeake Bay Critical Area:
 Prior Zoning Hearings: NONE

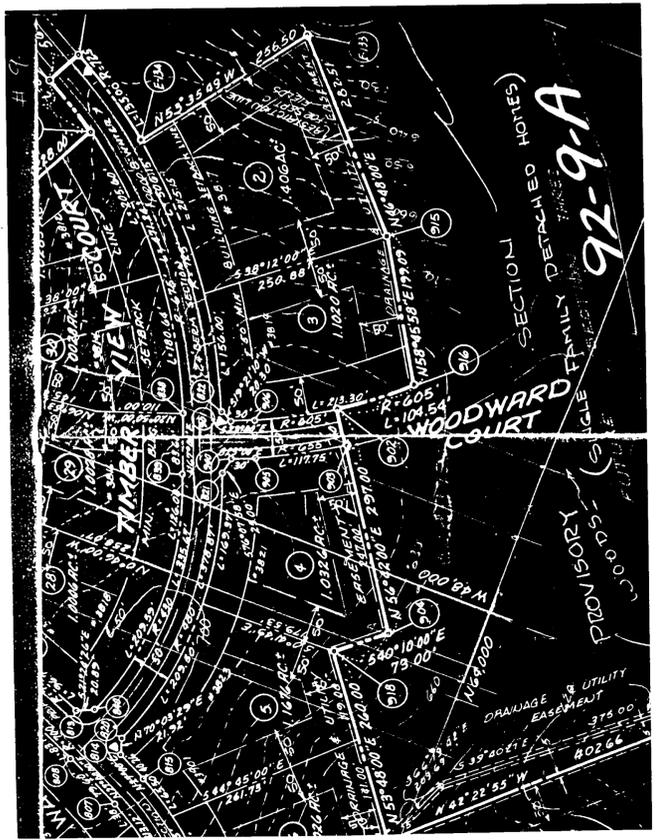
Zoning Office USE ONLY!
 reviewed by: ITEM #: CASE#:
 577 9



SCALE 1" = 200' ±	LOCATION WORTHINGTON	SHEI NW 17-1	92-9-A 9
DATE OF PHOTOGRAPHY JANUARY 1986	PREPARED BY AIR PHOTOGRAPHICS, INC. TINSBURG, W. V. 25401		



LOCATION: WORTHINGTON
 SHEET: N.W. 17-1
92-9-A
 THIS MAP HAS BEEN REVISED IN SELECTED TOPOGRAPHY COMPILED BY PHOTOGRAMMETRY BY AIR PHOTOGRAPHICS, INC. BALTIMORE, MD



Baltimore County Zoning Commissioner
 County Office Building
 121 West Chesapeake Avenue
 Towson, Maryland 21286

Account: R.001-6150
 Number

Date

Please Make Checks Payable To: Baltimore County 0171-5807-00 21 \$60.00

Cashier Validation



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 23, 1991

Mr. and Mrs. Lee Parsons
3821 Timberview Way
Reisterstown, Maryland 21136

RE: Petition for Residential Zoning Variance
Case No. 92-9-A

Dear Mr. and Mrs. Parsons:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:emn
encl:
cc: Peoples Counsel

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: August 18, 1991

FROM: Pat Kellor, Deputy Director
Office of Planning and Zoning

SUBJECT: Walker Property, Item No. 305
Parsons Property, Item No. 9
Conovan Property, Item No. 10
Wole Property, Item No. 17
Pearson Property, Item No. 19
Stiller Property, Item No. 22
Folts Property, Item No. 24
Melchor Property, Item No. 25
Faulkner Property, Item No. 27
Medilton Property, Item No. 32
Horne Property, Item No. 33
Elastic Property, Item No. 38
Muirago Property, Item No. 39
Cepeland Property, Item No. 42
Eckert Property, Item No. 44
Hartel Property, Item No. 50
Simbel/Gairfney Property, Item No. 51

In reference to the Petitioners' requests, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat
NUMEROUS.ITM/ZAC1

Date: August 30, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famit

SUBJECT: Z. A. C. Comments
Z. A. C. MEETING DATE: July 30, 1991

This office has no comments for item numbers 505,
3, 9, 10, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 30 and 31.

Rahee J. Famit
Rahee J. Famit
Traffic Engineer II

RJF:bza

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: August 1, 1991

FROM: Robert M. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
For July 30, 1991

The Engineers Engineering Division has reviewed the subject zoning items and we have no comments for items 165, 3, 7, 9, 16, 17, 18, 19, 21, 22, 23, 24, 27, 30 and 31.

For Item 20, the extension of public water, sewer and paving may be required, prior to issuance of a building permit for this lot.

For Item 20, the previous County Review Group comments are still applicable.

Robert M. Bowling
ROBERT M. BOWLING, P.E., Chief
Engineers Engineering Division

RMB:ca

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Terrene, Maryland

District: 11 Date of Posting: 8/23/91
Posted for: Lee Parsons, et ux
Petitioner: Lee Parsons, et ux
Location of property: 3821 Timberview Way, Reisterstown, MD 21136
Location of Sign: 3821 Timberview Way
Remarks: None
Posted by: Jeffrey Long Date of return: 8/23/91
Number of Signs: 2



111 West Chesapeake Avenue
Towson, MD 21204

August 5, 1991

887-3353

Mr. & Mrs. Lee Parsons
3821 Timberview Way
Reisterstown, MD 21136

RE: Item No. 9, Case No. 92-9-A
Petitioner: Lee Parsons, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Parsons:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Levin & Brown & Associates, Inc.
17 Warren Road, Suite 7-B
Baltimore, MD 21208



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
8th day of July, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

Jim Parsons
Chairman,
Zoning Plans Advisory Committee

Petitioner: Lee Parsons, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
AUGUST 15, 1991

TO: ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,
DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 9
PROPERTY OWNER: Lee Parsons, et ux
LOCATION: SAC Woodford Court and Timberview Way
(3821 Timberview Way)
ELECTION DISTRICT: 4th
COUNCILMANIC DISTRICT: 1rd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- () A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- () OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91

111 West Chesapeake Avenue
Towson, MD 21204

July 23, 1991

887-3353

Lee and Meryl Parsons
3821 Timberview Way
Reisterstown, Maryland 21136

Re: CASE NUMBER: 92-9-A
LOCATION: SAC Woodford Court and Timberview Way
3821 Timberview Way

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 4, 1991. The closing date is August 19, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. S. Stephens
G. S. Stephens
(301) 887-3391